

THE CITY OF CLAYTON

Board of Aldermen
Virtual Zoom Meeting
February 8, 2021
7:00 p.m.

Minutes

NOTE: In accord with the provisions of Section 610.015, RSMo., and multiple declarations of emergency at every level of government, and the prohibition on gatherings of 10 or more persons due to the Coronavirus pandemic, normal requirements for voting in the Board meeting were suspended. Accordingly, votes were taken as if all Board members were physically present and in attendance at the meeting.

Mayor Harris called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Rich Lintz, Ira Berkowitz, Bridget McAndrew, Susan Buse, Becky Patel, and Gary Feder.

Mayor Harris
City Manager Gipson
City Attorney O'Keefe

**Motion made by Alderman McAndrew to approve the January 25, 2022 minutes.
Alderman Berkowitz seconded.**

Motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

AN ORDINANCE TO CONSIDER APPROVING AN EASEMENT TO FACILITATE
CONSTRUCTION OF CERTAIN IMPROVEMENTS RELATED TO THE BEMISTON PLACE
REDEVELOPMENT PROJECT

City Manager Gipson reported that Bemiston Place, LLC has requested both aerial and subsurface easements to facilitate construction of their new development adjacent to City rights-of-way associated with the consolidated lot of Bemiston Place as recorded in Plat Book 369, Pages 525-526 in the land records of St. Louis County, Missouri. The easements are: (a) temporary aerial easements for construction cranes within the site with an operational radius that extends into air space above City rights-of-way, and (b) permanent subsurface easements for the placement of tieback and shoring walls. These easements are illustrated in the attached Exhibits in the Easement Agreement.

Matt Malick, Director of Public Works, was in attendance to answer questions.

Alderman Lintz introduced Bill No. 6888, to approve an easement for construction of certain improvements related to the Bemiston Place project to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6888, first reading, an Ordinance Approving an Easement to Facilitate Construction of Certain Improvements Related to the Bemiston Place Redevelopment Project by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6888 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6888, to approve an easement for construction of certain improvements related to the Bemiston Place project to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6888, first reading, an Ordinance Approving an Easement to Facilitate Construction of Certain Improvements Related by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Buse – Aye; Alderman McAndrew – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6747 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING AN EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC ELECTRICAL INFRASTRUCTURE ON THE CLARENDALE CLAYTON SITE

City Manager Gipson reported that the purpose of this easement from Clarendale Clayton LLC to the City of Clayton is to allow the installation and future access for the electrical service and panel that serves city street lighting.

Due to existing conditions encountered in the field, Clarendale Clayton, LLC has requested a modification to the approved site plan which relocated the public street lighting electric service from the right-of-way onto their parcel. Clayton Public Works determined this design change to be acceptable, contingent on the execution of a permanent easement to the City. The easement facilitates the installation of an electric panel and associated electric service line for public street lighting and allows city staff and contractors future access to service this panel.

Matt Malick, Director of Public Works, was in attendance to answer questions.

Alderman Lintz introduced Bill No. 6889, to approve an easement for the installation and maintenance of public electrical infrastructure for Clarendale Clayton to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6889, first reading, an Ordinance Approving an Easement for the Installation and Maintenance of Public Electrical Infrastructure on the Clarendale Clayton Site by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6889 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6889, to approve an easement for the installation and maintenance of public electrical infrastructure for Clarendale Clayton to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6889, second reading, an Ordinance Approving an Easement for the Installation and Maintenance of Public Electrical Infrastructure on the Clarendale Clayton Site by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Buse – Aye; Alderman McAndrew – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6748 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A MANAGEMENT AGREEMENT WITH 5TH SET, LLC FOR TENNIS MANAGEMENT SERVICES AT SHAW PARK TENNIS CENTER

City Manager Gipson reported that in 2013, due to the departure of a long-term tennis professional, the City of Clayton (City) determined that they would explore contracting out the management and programming at the Shaw Park Tennis Center. Since that time, Frontenac Racquet Club has been under contract to provide those services. Over the past nine years this arrangement has worked well, with usage and revenue nearly doubling during this time period.

As it has been nine years since this service was last bid, it was decided that we would issue a Request for Proposals to test the market. We received two responses to the RFP; one in the name of Frontenac Racquet Club and one from 5th Set, LLC, a corporation that has been established by Clark Taylor, the manager of our Tennis Center over the past five years. Both submittals contained the same proposed hours and division of fees. 5th Set, LLC was set up by Clark Taylor to allow for the option of contracting directly with this corporation and can meet all the City’s requirements of the bid. Frontenac Racquet Club is supportive of making this change, as it essentially removes them as the middleman in this agreement.

Toni Siering, Director of Parks, was in attendance to answer questions.

Alderman Lintz introduced Bill No. 6890, to approve a Shaw Park Tennis Management Service agreement to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6890, first reading, an Ordinance Providing for the Execution of a Management Agreement with 5th Set, LLC for Tennis Management Services at Shaw Park Tennis Center by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6890 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6890, to approve a Shaw Park Tennis Management Service agreement to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6890, first reading, an Ordinance Providing for the Execution of a Management Agreement with 5th Set, LLC for Tennis Management Services at Shaw Park Tennis Center project by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Buse – Aye; Alderman McAndrew – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6749 of the City of Clayton.

OTHER

Alderman Lintz provided an update on the following:

- Sustainability Committee
- Uniformed Employees Retirement Fund Board (UERF) and Non-Uniformed Employees’ Retirement Fund Board (NUERF)

Alderman Berkowitz provided an update on the following:

- Plan Commission/ARB

Alderman McAndrew provided an update on the following:

- Parks & Recreation Commission

Alderman Buse provided an update on the following:

- Community Equity Commission

Alderman Feder provided an update on the following:

- Forsyth Pointe
- NUERF

Mayor Harris provided an update on the following:

- Community Landscape Task Force
- MYAC

Motion made by Alderman Feder that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Patel seconded.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Buse – Aye; Alderman McAndrew – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye.

The meeting adjourned at 7:40 p.m.

Mayor

ATTEST:

City Clerk